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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/681,537	10/08/2003	Steven W. Gomas	126361.0101	7477

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EXAMINER

HARPER, V PAUL

ART UNIT	PAPER NUMBER
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2654

DATE MAILED: 03/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/681,537	Applicant(s) GOMAS ET AL.	
	Examiner V. Paul Harper	Art Unit 2654	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-3, 5-9, 12-22, and 24-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Logan et al. (U.S. Patent 5,721,827), hereinafter referred to as Logan, in view of Waldman (U.S. Patent 5,311,175), hereinafter referred to as Waldman.

Regarding **claim 1**, Logan discloses a system for electronically distributing personalized information. Logan's system includes the following:

- a memory that contains a database of content (Fig. 1, item 107, col. 3, lines 5-10);
- a text-to-speech converter (col. 3, lines 15-18, abstract); and
- an audio output (Fig. 1, items 110 and 113).

Logan teaches the use of an interface with both keyed and voiced command entry (col. 12, lines 17-20), but Logan does not specifically teach "a **tactile** user

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interface adapted to be operated by a print-disabled individual. However, the examiner contends that this concept was well known in the art, as taught by Waldman.

In the same field of endeavor, Waldman teaches a method for pre-identification of keys on a keypad using tactile information which is of value to a visually impaired individual (abstract, col. 2, lines 25-33).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Logan by specifically providing the keypad, as taught by Waldman, because it is well known in the art at the time of invention to be advantageous for a visually impaired individual to use such a keypad (Waldman, col. 2, lines 25-30).

Regarding **claim 2**, Logan in view of Waldman teaches everything claimed, as applied above (see claim 1); in addition, Logan teaches "the content comprises compressed audio format content files and compressed text format content files" (col. 3, lines 5-18).

Regarding **claim 3**, Logan in view of Waldman teaches everything claimed, as applied above (see claim 2); in addition, Logan teaches "the device is configured to decompress the text format content files and the text-to-speech converter is configured to deliver the decompressed text format content files in audio format in response to a user input" (col. 3, lines 15-20; col. 4, lines 58-65).

Regarding **claim 5**, Logan in view of Waldman teaches everything claimed, as applied above (see claim 2); in addition, Logan teaches “each audio format content file and each text format content file is associated with at least one index file that is stored in the memory” (Fig. 5, col. 17, lines 10-15).

Regarding **claim 6**, Logan in view of Waldman teaches everything claimed, as applied above (see claim 5); in addition, Logan teaches “when a user selects an audio content format file, the text-to-speech converter is programmed to convert selected non-audio format information associated with the audio content format file into an audio format and present the converted selected information to the user as text-to-speech (col. 3, lines 14-20).

Regarding **claim 7**, Logan in view of Waldman teaches everything claimed, as applied above (see claim 2); in addition, Logan teaches “a decompression module that decompresses a user-selected compressed audio format content file or text format content file in real time during presentation of the file in audio format to a user” (col. 3, lines 1-18, playing audio files that are compressed necessarily involves a decompression step).

Regarding **claim 8**, Logan in view of Waldman teaches everything claimed, as applied above (see claim 1); in addition, Logan teaches the use of “a communication

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means that receives content updates from a remote computing device” (Fig. 1, items 123, 121, and 117; col. 6, line 45 through col. 7, line 21).

Regarding **claim 9**, Logan in view of Waldman teaches everything claimed, as applied above (see claim 1); in addition, Logan teaches “a processor programmed with time scale modification functions that adjust a delivery speed of the content when the content is presented to a user through the audio output” (col. 7, lines 44-45; col. 8, lines 60-61).

Regarding **claim 12**, Logan in view of Waldman discloses a system for electronically distributing personalized information. Logan’s system includes the following:

- a server that includes a server content database and a server subscriber database (Fig. 1, “Program Data Library”, item 143; Fig. 2)
- one or more portable electronic devices, each portable electronic device in communication with the server (Fig. 1, item 103; col. 3, lines 1-2, a laptop is a portable electronic device).

The remaining limitations are similar to those found in claim 1 and are rejected for the same reasons.

Regarding **claim 13**, Logan in view of Waldman teaches that “each portable electronic device is programmed to periodically communicate with the server, receive an

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update from the server content database, and update the device content database with the update from the server content database" (Fig. 2, col. 1, lines 38-47; col. 2, line 3, col. 5, lines 20-37).

Regarding **claim 14**, Logan in view of Waldman teaches everything claimed, as applied above (see claim 12; in addition, Logan teaches that "the content database of the portable device comprises compressed audio format content files and text format content files" (col. 3, lines 5-18).

Regarding **claim 15**, Logan in view of Waldman teaches everything claimed, as applied above (see claim 14); in addition, Logan teaches the use of an "audio file generator in communication with the server, wherein the audio file generator pre-processes the compressed audio format content files" (Fig. 6, step before step 440).

Regarding **claim 16**, Logan in view of Waldman teaches everything claimed, as applied above (see claim 12); in addition, Logan teaches the use of "at least one communications link between the server and a plurality of remote content providers, wherein at least a portion of the content in the server content database has been received from the plurality of remote content providers via the at least one communications link" (Fig. 4, item 315, col. 4, lines 58-61; col. 12, lines 35-45).

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Regarding **claim 17**, this claim has limitations similar to claim 9 and is rejected for the same reasons.

Regarding **claim 18**, this claim has limitations similar to those in claims 1, 9, 12 and 13 and is rejected for the same reasons.

Regarding **claim 19**, this claim has limitations similar to those in claim 15 and is rejected for the same reasons.

Regarding **claim 20**, this claim has limitations similar to those in claim 16 and is rejected for the same reasons.

Regarding **claim 21**, this claim has limitations similar to those in claim 5 and is rejected for the same reasons.

Regarding **claim 22**, this claim has limitations similar to those in claim 13 and is rejected for the same reasons.

Regarding **claim 24**, Logan in view of Waldman teaches everything claimed, as applied above (see claim 18); in addition, Logan teaches that "in response to a request from a user to receive a content file, verifying that the user is authorized to receive the requested content file" (col. 10, lines 9-20).

Regarding **claim 25**, Logan in view of Waldman discloses a system for electronically distributing personalized information. Logan's system includes the following:

- at least one volume control (col. 3, lines 29-31);
- a document library control (Fig. 5, col. 7, lines 13-45; col. 13, line 55 through col. 14, line 41)
- a table of contents control for selecting a table of contents in the document library (Fig. 5, col. 7, lines 21-45, for creating a selections file, col. 32, lines 51-67).
- a document selection control (Fig. 5, col. 7, lines 13-45); and
- a plurality of navigation controls for navigating through the document library and through individual documents selected from the library (col. 13, line 55 through col. 14, line 41).

Logan teaches the use of an interface with both keyed and voiced command entry (col. 12, lines 17-20) and as stated above this interface has a variety of functions, but Logan does not specifically teach "wherein the at least one volume control, the document library control, the table of contents control, the document selection control and the navigation controls are each **adapted to be tactilely operated by a print-disable individual.**" However, the examiner contends that this concept was well known in the art, as taught by Waldman.

In the same field of endeavor, Waldman teaches a method for pre-identification of keys on a keypad using tactile information which is of value to a visually impaired individual (abstract, col. 2, lines 25-33).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Logan by specifically providing the keypad, as taught by Waldman, because it is well known in the art at the time of invention to be advantageous for a visually impaired individual to use such a keypad (Waldman, col. 2, lines 25-30).

Regarding **claim 26**, Logan in view of Waldman teaches everything claimed, as applied above (see claim 25); in addition, Logan teaches the use of "at least one bookmark control" (col. 14, line 41-45).

Regarding **claim 27**, Logan in view of Waldman teaches everything claimed, as applied above (see claim 25); in addition, Logan teaches that "the plurality of navigation controls include a forward control and a back control (col. 13 line 55 through col. 14, line 41, SKIP--forward, BACK commands).

Regarding **claim 28**, Logan in view of Waldman teaches everything claimed, as applied above (see claim 25); in addition, Logan teaches that "the plurality of navigation controls include a document start control and a document end control" (starting col. 12, "User Playback Controls, "GO", Skip, col. 12, lines 21, interrupt playback).

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2. Claims 4 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Logan in view of Waldman and further in view of Kiraly et al. (U.S. Patent 6,324,511), hereinafter referred to as Kiraly.

Regarding **claim 4**, Logan in view of Waldman teaches everything claimed, as applied above (see claim 2), but Logan does not specifically teach “the text format content files have been pre-processed to filter material that is not necessary for text-to-speech conversion.” However, the examiner contends that this concept was well known in the art, as taught by Kiraly.

In the same field of endeavor, Kiraly discloses a method for multimodal information presentation to computer users with a visual impairment. In addition, Kiraly teaches the use of filters to filter out text that will be processed by text reader software (col. 14, lines 41-51).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Logan in view of Waldman by specifically providing the filtering, as taught by Kiraly, because it is well known in the art at the time of invention for the purpose of eliminating extraneous content.(Kiraly, col. 14, line 46).

Regarding **claim 11**, Logan in view of Waldman teaches everything claimed, as applied above (see claim 1), but Logan does not specifically teach “the print-disabled individual is at least one of blind, visually impaired, dyslexic, or of less than complete

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literacy.” However, the examiner contends that this concept was well known in the art, as taught by Kiraly.

In the same field of endeavor, Kiraly discloses a method for presentation of information to computer users with dyslexia, reading disabilities or visual impairments (title). Kiraly further teaches that one approach is to read text-based data with a synthesizer (col. 14, lines 41-67).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Logan in view of Waldman by specifically providing support for print-disabled individuals, as taught by Kiraly, because it is well known in the art at the time of invention that such individuals need access to computers (Kiraly, col. 1, line 65 through col. 2, line 20).

3. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Logan in view of Waldman and further in view of Tjaden (U.S. Patent 6,122,617), hereinafter referred to as Tjaden.

Regarding **claim 10**, Logan in view of Waldman teaches everything claimed, as applied above (see claim 1), but Logan does not specifically teach the use of a “decryption module that, when a user selects a content file that is encrypted, decrypts the selected content, the examiner contends that this concept was well known in the art, as taught by Tjaden.

In the same field of endeavor, Tjaden discloses a personalized audio information delivery system that uses text-to-speech synthesis and encryption (Tjaden, col. 3, lines 5-10; col. 5, lines 5-10 and 60-67).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Logan in view of Waldman by specifically providing the encryption capability, as taught by Tjaden, because it is well known in the art at the time of invention for the purpose of providing privacy over data transport networks (Tjaden, col. 5, lines 8-10).

4. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Logan in view of Waldman and further in view of Kikinis (U.S. Patent 6,055,566), hereinafter referred to as Kikinis.

Regarding **claim 23**, Logan in view of Waldman teaches everything claimed, as applied above (see claim 18), but Logan does not specifically teach “the step of periodically updating is performed by providing the user with a replacement memory that contains the updated text format content files and audio format content files. However, the examiner contends that this concept was well known in the art, as taught by Kikinis.

In the same field of endeavor, Kikinis discloses a customizable media player with online/offline capabilities. Kikinis’s system includes removable memory that can store documents used for text-to-speech (col. 2, lines 41-50, col. 6, lines 10-16).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Logan in view of Waldman by specifically providing replacement memory, as taught by Kikinis, because it is well known in the art at the time of invention for the purpose of allowing updates while the device is offline.

Response to Arguments

5. Applicant's arguments with respect to claims 1-28 have been considered but are moot in view of the new ground(s) of rejection.

Citation of Pertinent Art

6. The following prior art made of record but not relied upon is considered pertinent to the applicant's disclosure:

- Bondon (WO 02/051349 A2) discloses a self-contained device for location and assistance, designed for the blind, sight-impaired, or handicapped people.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within

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TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to V. Paul Harper whose telephone number is 703 305-4197. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on 703 305-9645. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

03/03/2005

V. Paul Harper
Patent Examiner
Art Unit 2654



RICHEMOND DORVIL
SUPERVISORY PATENT EXAMINER